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Chairman : Mr. Priputen ..... (Slovakia)

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In the absence of Mr. Belinga-Eboutou (Cameroon), Mr.Priputen (Slovakia), Vice-Chairman, took the Chair

The meeting was called to order at 3.15 p.m.

Agenda item 112: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions *(continued)*
(A/C.3/58/L.37/Rev.1, L.38 and L.43)

Draft resolution A/C.3/58/L.37/Rev.1: Assistance to refugees, returnees and displaced persons in Africa

1. **Ms. Ahmed** (Sudan), introducing draft resolution A/C.3/58/L.37/Rev.1 on behalf of the Member States of the United Nations that were members of the African Group, announced that Cyprus, Norway and the Czech Republic were sponsors. She said that Africa hosted the largest number of refugees and internally displaced persons worldwide. In some countries, substantial peace initiatives undertaken in 2003 had aroused hope for a solution, but in other countries prospects were bleak. Often, the uprooted persons and the vulnerable communities that hosted them faced conditions that entailed untold suffering, a potential cause of new conflicts.

2. The draft resolution was therefore important. It referred to the many initiatives undertaken to address the situation at various levels, particularly in Africa; and called attention to significant recent developments, such as the decision adopted by the Executive Council of the African Union in July 2003, the Declaration and Plan for Action adopted by the First Ministerial Conference on Human Rights in Africa in May 2003 and the four "Rs" approach (repatriation, reintegration, rehabilitation and reconstruction) of the Office of the United Nations High Commissioner for Refugees (UNHCR) - an approach with which many States had associated themselves.

3. The speaker said that the text before the Committee was the outcome of numerous consultations. She hoped that, as at previous sessions, the draft resolution would be adopted by consensus, given its humanitarian and non-political character.

4. **The Chairman** announced that Italy and Denmark had become sponsors of the draft resolution.

Draft resolution A/C.3/58/L.38: Assistance to unaccompanied refugee minors

5. **Ms. Ahmed** (Sudan) introduced draft resolution A/C.3/58/L.38 on behalf of the sponsors listed and Azerbaijan, Cameroon, Madagascar, Pakistan, Panama, Qatar, United Republic of Tanzania, Turkey and Yemen. She stated that the text sought to draw the international community's attention to the precarious situation of unaccompanied refugee children, a particularly vulnerable group. Many children were displaced and homeless for various reasons, without anybody addressing their needs. The draft resolution focused on encouraging preventive measures and the identification of appropriate solutions, including family reunification.

6. The speaker drew attention to the following revisions: in the third preambular paragraph, the order of the expressions "malaria" and "human immunodeficiency virus/ acquired immunodeficiency syndrome" should be reversed to read: "such as human immunodeficiency virus/ acquired immunodeficiency syndrome, malaria ..."; in the sixth preambular paragraph, the word "Reaffirming" should be replaced with the word "Recalling"; in the seventh operative paragraph, the words "human rights law and refugee law" should be inserted after the words "international humanitarian law"; and, in the ninth operative paragraph, the words "the most effective initial means" should be replaced with the words "among the most effective initial means".

7. The speaker hoped that, as at previous sessions, the draft resolution would be adopted by consensus.

8. **The Chairman** announced that the following countries had become sponsors of the draft resolution: Botswana, Malawi, Mozambique, Namibia, Rwanda, Sierra Leone, Swaziland, Zambia and Zimbabwe.

Draft resolution A/C.3/58/L.43: Follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States

9. **Mr. Knyazhinskiy** (Russian Federation), introducing draft resolution A/C.3/58/L.43 on behalf of the sponsors, said that it aimed to provide additional political impetus in the General Assembly to

implement follow-up actions to the 1996 regional conference. Compared to the draft resolution introduced during the fifty-sixth session of the General Assembly, it contained some new elements: the subregional initiatives undertaken within the framework of transboundary cooperation, the convening in Sweden in September 2002 of the senior-level review meeting and the call to lend high-level political support to ensure the implementation of activities undertaken in follow-up to the Programme of Action. The speaker hoped that the draft resolution would be adopted by consensus.

10. **The Chairman** announced that the following countries had become sponsors of the draft resolution: Cyprus, Croatia, Denmark, Spain, United States of America, France, Ireland, Italy, Kyrgyzstan, Norway, Portugal, Czech Republic and the United Kingdom of Great Britain and North Ireland.

Agenda item 117: Human rights questions
(continued)

(a) Implementation of human rights instruments
(A/C.3/58/L.42, L.44 and L.45)

Draft resolution A/C.3/58/L.42: Torture and other cruel, inhuman or degrading treatment or punishment

11. **Ms. Thygesen** (Denmark) introduced draft resolution A/C.3/58/L.42 on behalf of the sponsors listed and South Africa, Andorra, Armenia, Australia, Azerbaijan, Bangladesh, Burkina Faso, Cape Verde, Eritrea, Lithuania, Mali, Malta, Monaco and Ukraine.

12. The speaker drew attention to the following revisions: in the third line of operative paragraph 2, the word "and" should be inserted before the word "stresses"; and in operative paragraph 17, the words "for his interim report" should be deleted and the words "Congratulates the" should be replaced with the words "Notes with appreciation the interim report of the".

13. The draft resolution, an outcome of extensive consultations, could play a significant role in combating torture and the speaker hoped that it would be adopted by consensus.

14. **The Chairman** announced that the following countries had become sponsors of the draft resolution: Ecuador, Estonia, Mauritius, Micronesia (Federated States of), Namibia and Turkey.

Draft resolution A/C.3/58/L.44: International covenants on human rights

15. **Mr. Berg** (Sweden) introduced draft resolution A/C.3/58/L.42 on behalf of the sponsors listed and South Africa, Australia, Azerbaijan, Cyprus, Ecuador, Greece, Lithuania, Nicaragua, Panama, Peru, Dominican Republic, Serbia and Montenegro and Ukraine.

16. The speaker said that the draft resolution pleaded for equal representation of women and men on the Human Rights Committee and the Economic, Social and Cultural Rights Committee and was being introduced after successive negotiations. A number of revisions had been made to the initial text to ensure that it reflected the broad range of views expressed by the various delegations. She hoped that, in accordance with past practice, the draft resolution would be adopted by consensus.

17. **The Chairman** announced that Estonia, the former Yugoslav Republic of Macedonia and Lesotho had become sponsors of the draft resolution.

Draft resolution A/C.3/58/L.30/Rev.1: International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

18. **Mr. Simancas** (Mexico) introduced draft resolution A/C.3/58/L.45 on behalf of the sponsors listed and Egypt, Ecuador, Honduras, Paraguay and Senegal. He said that in the English version of the text the words "in due time" should be replaced with the words "in a timely manner". After stressing the importance of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the need to ensure its universal application, he quoted operative paragraphs 1 and 5.

19. The sponsors had taken account of the concerns expressed by the various delegations and therefore hoped that the draft resolution would be adopted without a vote.

20. **The Chairman** announced that the following countries had become sponsors of the draft resolution: Bangladesh, Burkina Faso, Mali, Uganda, Democratic Republic of the Congo, Dominican Republic and Tunisia.

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Draft resolution A/C.3/58/L.30/Rev.1: Situation of and assistance to Israeli children

21. **Mr. Gillerman** (Israel), introducing draft resolution A/C.3/58/L.30/Rev.1, said that Israel would have preferred a comprehensive treatment of children, in accordance with standing practice, but had decided to introduce the text when, for the second consecutive year, the sponsors of draft resolution A/C.3/58/L.24, addressing only the situation of Palestinian children, had insisted on putting it to a vote against the wish of many delegations. Israel had been prepared to withdraw its text, but since draft resolution A/C.3/58/L.24 had been adopted, it was necessary and fair to sponsor a resolution addressing the suffering of Israeli children as a result of Palestinian terrorism. The text of the draft resolution having been distributed to the delegations, the representative of Israel proceeded with a brief presentation, stressing the amendments made to the initial version, particularly in order to take account of the outcome of consultations held with the delegations concerned. After quoting preambular paragraphs 4 and 5, he recalled that, since September 2000, terrorist groups such as Hamas, Islamic Jihad and the Al-Aqsa Martyrs Brigade had killed 903 Israelis, including 109 children, and injured thousands. Many terrorist attacks had deliberately targeted children. Addressing only the situation of Palestinian children and disregarding the difficulties faced by Israeli children would suggest that one side to the conflict held a monopoly over victim status. Certain that most delegations realized the suffering inflicted on Israeli children by terrorism, the representative of Israel urged the delegations to support the draft resolution.

22. **Ms. Al Haj Ali** (Syrian Arab Republic) said that the Syrian delegation was opposed to draft resolution A/C.3/58/L.30/Rev.1, which had been introduced under the wrong agenda item. Its content did not fall within the competence of the Third Committee. The speaker requested the General Committee to introduce it under another agenda item.

23. **Ms. Rasheed** (Observer for Palestine) stated Palestine's observations on the initial version of the draft resolution (A/C.3/58/L.30). By copying the form and text of the draft resolution on the situation of and assistance to Palestinian children (A/C.3/58/L.24), which had already been adopted, Israel showed how insensitive it was to the Palestinian children's suffering, which it tried to trivialize. Having steadily maintained that there should be no resolution on the situation of any particular group of children and used that argument to reject the draft resolution on the plight of Palestinian children, Israel was contradicting itself.

24. Palestine maintained that the situation of Palestinian children was unique. That meant neither that their situation was worse than the situation of other children nor that the Palestinian children held a monopoly over suffering.

25. The form and content of the draft resolution reflected the distorted and unacceptable character of the Israeli positions and all references to the situation of children were subordinated to those political considerations. The revised version before the Committee aimed at avoiding the rejection of the draft resolution - which largely fell outside the competence of the Third Committee - by a vast majority of the delegations. The text remained inadmissible even after the revisions. Palestine hoped that, if put to a vote, it would be rejected.

26. **Mr. Kronfol** (Lebanon) said that his delegation associated itself with the statements of the representative of the Syrian Arab Republic and of the Observer for Palestine.

27. **Mr. Mavrommatis** (Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq) introduced his interim report on the situation of human rights in Iraq (A/58/338). He quoted paragraphs 1, 2, 4, 5 and 8 and referred in particular to the bomb attack of 19 August 2003 against the headquarters of the United Nations mission in Baghdad, in which the Special Representative of the Secretary-General for Iraq and United Nations High Commissioner for Human Rights, to whom he paid tribute, as well as 22 other devoted United Nations officials, had lost their lives. That event had compelled him to postpone his mission to Iraq, initially scheduled for 22-27 September 2003.

28. If he had been able to visit Iraq, he would have reported on the outcome of his mission, and made his observations, in an addendum. Given the particular situation of Iraq in the preceding eight months, very little reliable information had been available to the

local and international non-governmental organizations (NGOs), the United Nations or other sources in that country. That shortage in reliable information compounded the difficulty of his mission, which comprised the examination of sensitive issues, such as mass graves, the situation of displaced persons and refugees, prison conditions, the impunity enjoyed by perpetrators of serious and systematic human rights violations, and freedom of religion.

29. Under those circumstances, the speaker had decided to hold a series of preparatory talks in Geneva. They had taken place on 13-16 October 2003 and allowed him to resume regular contact with the Chargé d'affaires of the Permanent Mission of Iraq, to whom he confirmed in writing his intention to organize meetings and consultations with the appropriate ministers of the Iraqi Governing Council and the representatives of the Coalition Provisional Authority (CPA) and civil society. He had also stated his wish to examine, in the eventual talks, the issues of violations of the right to life (particularly disappearances, summary executions and mass graves), torture, prison conditions, freedom of religion, "Arabization" and gender equality, and to monitor compliance with the recommendations that he had made during his first visit to Iraq in 2002.

30. The Geneva talks had also enabled him to hold separate meetings with the Permanent Representatives of Kuwait, the United Kingdom of Great Britain and Northern Ireland and the United States of America, a representative of the Kurdish Regional Government and members of international NGOs. Strengthened cooperation between the Iraqi and Kuwaiti delegations had permitted to identify a - still limited - number of persons who had been missing. Other delicate issues had been addressed and the Special Rapporteur had been invited to participate in the Madrid Donors' Conference on 23-24 October 2003.

31. In Madrid, lack of time had prevented the Special Rapporteur from encountering as many officials as planned, but he had met on his request the main CPA and Governing Council representatives and his mere presence there provided evidence of his determination to accomplish the tasks of his mandate.

32. During his discussion with the Iraqi Minister for Human Rights and brief exchanges of opinions with the United States Assistant Secretary of State for Democracy, Human Rights and Labour, he had reiterated his intention to visit Iraq as soon as security conditions would allow. He had also stressed that Iraq, and therefore the CPA and the interim Governing Council, were expected to respect the provisions of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights.

33. Those meetings and the meetings held in Geneva had aimed to ensure the collection of sufficient information in the very near future for inclusion in the next report of the Special Rapporteur. The consultations to be held in December 2003 with representatives of the CPA, the interim Governing Council and Iraqi and international non-governmental organizations (NGOs) and with private citizens were also expected to yield considerable reliable information.

34. Doubtlessly, nothing could replace going to Iraq, and the Special Rapporteur reiterated his intention to do everything he could in order to visit the country as soon as possible.

35. **Mr. Dugard** (Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied since 1967) said that the General Assembly had characterized the wall that Israel was building on Palestinian territory as a violation of international law and demanded from Israel to discontinue its construction. In view of tangible security concerns, Israel was entitled to build a wall along the 1949 Armistice Demarcation Line (Green Line), but not on Palestinian territory. Construction of the wall on Palestinian territory could only be regarded as de facto annexation, and the annexation of occupied territories was proscribed by the United Nations Charter and the Fourth Geneva Convention. The decision to extend the wall to the settlement at Ariel, about 22 km into the West Bank, meant that about 16 percent of the West Bank would end up between the wall and the Green Line. At the same time, there were attempts to cut off East Jerusalem from the West Bank. Furthermore, Israel had declared the area between the wall and the Green Line a "closed zone", where Israelis could move freely but the Palestinians, who lived and worked there, needed authorization to do so. Palestinians on the Israeli side of the wall would be cut off from their lands, homes, clinics and schools. Checkpoints were run arbitrarily, clearly with the intent to press the Palestinians to resettle on their side of the wall, an

event that would create a new generation of displaced persons.

36. The Special Rapporteur said that the settlements constituted a violation of Article 49, paragraph 6, of the Fourth Geneva Convention, which forbade an occupying power to transfer parts of its own civilian population into the territory it occupied. Israel no longer claimed - as in the past - to freeze the settlements. On the contrary, the Government had increased resource allocation to the settlements, including those that had earlier been considered illegal. The Special Rapporteur noted that the wall and the settlements would have an extensive and adverse impact on human rights in the occupied Palestinian territory, rendering Palestinian self-determination meaningless, as the Palestinian people would soon have too little land of their own on which to build a State. The wall and the settlements also constituted the main cause of the unbearable situation of the Palestinians, who were humiliated daily at the checkpoints; and served to justify destruction of property on a large scale and environmental degradation.

37. The Special Rapporteur pointed out that he had deliberately decided not to deal with the other serious human rights violations: loss of human lives, excessive force used indiscriminately against civilians and combatants, ever more assassinations of Palestinians, detention of more than 6,000 Palestinians and transfer of prisoners under administrative detention from the West Bank to Gaza.

38. **Mr. Gillerman** (Israel) regretted that the Special Rapporteur reiterated allegations contained in his earlier reports disregarding Israel's rectifications and continued to use his mandate as a means of pursuing his political agenda. Israel's position on the security wall was well known. It had been explained to the Security Council and the General Assembly. He nevertheless wished to raise some further points concerning the Special Rapporteur's last report. Although he acknowledged Israel's "legitimate security concerns", the Special Rapporteur regarded the measures taken by Israel as disproportionate, failing to consider the menace of Palestinian terrorism, with its multitude of victims and its refusal to distinguish between civilian population and combatants. Whether a measure was proportionate could not be determined mechanically and from afar, merely by tabulating reported damages and alleged casualties. To that end, specialized, legal and operational, knowledge was required and account should be taken of the specific context in which the operations took place, the security situation that Israelis faced and the illegal use of Palestinian civilians as a human shield. The speaker believed that by disregarding these factors the Special Rapporteur had deliberately made a selective and incorrect use of law and facts. He noted that the Special Rapporteur did not consider any defensive measure taken by Israel as legitimate or proportionate to the act that had motivated it, and that he held Israel responsible for all the ills befalling the Palestinian people, absolving the Palestinian leaders and the Arab States that funded and favoured terrorism in the region. The Special Rapporteur thereby contributed to the problem rather than to its solution.

39. **Mr. Mekhad** (Syrian Arab Republic) said that the report of the Special Rapporteur provided further evidence of Israel's brutal practices in the occupied territories and proved that Israel - by continuing to build the wall of racism - spurned the wish of the international community. He concurred with the Special Rapporteur that the purpose behind the wall was a de facto annexation of an ever-larger part of Palestinian territory. That showed Israel's intention to thwart any idea of an independent Palestinian State. He recalled the warnings issued by Syria and other States against the expansionist wall and the intentions of Israel, which - in the event of a resumption of negotiations - could be expected to claim that the wall was its boundary with any Palestinian entity. Discussions then would no longer concern the establishment of a Palestinian State but land demarcation. Settlements played the same role. Such practices constituted terrorism and the international community had a duty to combat them by all means. Terrorism could not be eradicated unless Israel also fought against it. Israel's so-called self-defence was defence of occupation and aggression.

40. **Mr. Vigny** (Switzerland) congratulated the Special Rapporteur for his report and assured him of Switzerland's support in his mandate. The representative of Switzerland wondered whether the Special Rapporteur could enlarge on the idea of proportionality. Moreover, since the Special Rapporteur had in his report requested the Israeli authorities to either authorize an independent international committee to investigate the complaints of torture or to conduct themselves an independent and

detailed judicial investigation into those allegations, the speaker asked whether the Special Rapporteur had any suggestion as to the specific international bodies that might be asked to conduct such an investigation or whether he thought that an independent international ad hoc committee should be set up to that end. Lastly, the speaker asked whether the Special Rapporteur planned to conduct a new mission before the sixtieth meeting of the Commission on Human Rights to be held in Geneva in March-April 2004.

41. **Mr. Dugard** (Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied since 1967) said that proportionality was an intricate issue and that he intended to further examine its various aspects. It was very difficult to assess the proportionality of a reaction to an act. Regarding the proposal for a judicial investigation into cases of torture, although he had suggested setting up an independent committee, he was inclined to first give Israel a chance to handle that matter itself. Regarding the observations of the representative of Israel, the Special Rapporteur said that he was cognizant of Israel's security concerns, but considered that the facts regarding the wall and the settlements, which were illegal and had an enormous impact on human rights, were clearly established in his report. He regretted that the representative of Israel had not addressed those two problems in his statement.

The meeting was suspended at 4.40 p.m. and resumed at 5.10 p.m.

42. **Mr. Tekin** (Turkey) said that he hoped that the improvement of security conditions in Iraq would allow the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq to visit the country and better appraise the situation. He also hoped that the Special Rapporteur's future reports would deal with attempts after the war to alter the demographic structure in some parts of the country and that they would address the difficulties faced by some ethnic, religious and other population groups, including the Turkmen population.

43. **Mr. De Laurentis** (United States) thanked the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq and said that he looked forward to the Special Rapporteurs' visit to Iraq at the earliest opportunity.

44. Turning to the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied since 1967, he said that his delegation would discuss its content in greater detail at the session of the Commission on Human Rights, where the report could be more appropriately examined. He stated that he was very disappointed by the report, which he considered grossly one-sided, especially with regard to the proportionality principle. The report ignored the context in which the decisions criticized had been made and helped the cause of neither human rights nor peace in the Middle East.

45. **Mr. Al-Enezi** (Kuwait) said that he regretted that for security reasons the Special Rapporteur had not been able to visit Iraq and noted that the problem of the prisoners was one of the issues that he had been instructed to examine. He also noted that, according to information obtained through cooperation with the International Committee of the Red Cross, 45 victims had been identified. He considered the offences committed as war crimes and, stressing that the Secretary General and the Security Council had denounced mass graves that had been discovered, he emphasized that the report of the Special Rapporteur should take account of the relevant information provided by the Government of Kuwait.

46. The speaker noted that, even at times when the Special Rapporteur had not been able to visit Iraq, it had been possible to draw up reports based on information supplied by Governments; and asked whether the absence of a final report had any incidence related to the fact that no draft resolution had been introduced regarding the issue.

47. **Ms. Melchiorre** (Italy), speaking on behalf of the European Union, inquired about ways to gather documentary evidence to investigate human rights violations under Saddam Hussein.

48. She also asked what international standards should govern steps taken by the Iraqis to set up a mechanism to examine those violations; whether the Special Rapporteur had been able to address that issue with the Iraqi Governing Council and other representatives of Iraqi society; and, if so, whether a timetable had been discussed.

49. **Ms. Al-Khafaji** (Iraq) said that the Iraq Permanent Mission to the United Nations would assist the Special Rapporteur in any way it could to enable him to carry out his mandate and hoped that the

security situation would improve so that he could visit the country to complete his report.

50. **Ms. Rasheed** (Observer for Palestine) thanked the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied since 1967 for his untiring efforts to raise awareness of the plight of Palestinians. In connection with the wall that was being built, she wondered how Palestinians should react to the Israeli decree compelling them to apply for authorization to move within their own territory.

51. Israel tried to intimidate those who dared to speak the truth, particularly United Nations representatives, including special rapporteurs, and other international personalities. Its attacks not only targeted their official function and their role, but also were physical, and had to be condemned. All that the Special Rapporteur was doing was to describe the actual situation: confiscated land, demolished homes, institutionalized humiliation of a people, repression, detention, inhuman treatment and a colonialist policy that could not be hushed up.

52. **Ms. Khalil** (Egypt) said that the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied since 1967 had provided an interesting account of the wall being built and the settlements, which once again highlighted the illegitimacy of the measures taken by Israel. The report should be submitted to the Committee and duly considered by the international community.

53. **Mr. Mavrommatis** (Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq) assured the representative of Turkey that he was in no way inattentive to the situation of ethnic, religious and other minorities. He had already met with Turkmens twice and would do all he could to encounter others. Replying to the United States representative, he said that he hoped that the assurances given him in Madrid about his security, should he visit Iraq, would facilitate such a visit in the near future. Addressing the representative of Kuwait, he said that missing persons and the prisoners were among his top priorities. He did not know whether the offences involved constituted crimes against humanity but, on the basis of available information, there was clear evidence of human rights violations. Replying to the representative of Italy, he said that the Iraqi regime had been systematically recording events occurring in the country but many documents had disappeared as a result of looting and destruction in the wake of the war. However, the Governing Council, the ministries and the CPA were trying to collect as much information as possible. It seemed that the Government had been responsible for the disappearance of thousands of people, particularly in the northern Governorates. NGOs could play a major role in gathering information. As for meeting out punishment for past offences, the Special Rapporteur believed that the Governing Council was drafting legislation to set up a tribunal and hoped that its provisions would be compatible with Iraq's international obligations, particularly the International Covenant on Civil and Political Rights. Addressing the representative of Iraq, he said he was looking forward to being able to cooperate with the Iraqi Government.

54. **Mr. Dugard** (Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied since 1967) reassured the representatives of Israel and the United States that he had followed no political agenda and his sole concern was respect for human rights. Replying to the United States representative's criticism that in his report he had taken a one-sided view of proportionality, he said that one should look at the facts. Although sending Palestinian suicide bombers to stage attacks in Israel was deplorable and reprehensible, Israel's response (detaining 6,000 Palestinians, resorting to summary executions, demolishing homes, imposing curfews, and setting up checkpoints) had been such that poverty was affecting 60 per cent of the Palestinian population. Nor was it possible to keep silent about the wall, which would interfere with the life of half a million Palestinians and seemed to redraw the boundary between the two territories. The speaker was disappointed that the United States representative had made no reference to that issue and asked him to weigh all factors and to consider seriously whether he had actually overstated the case against Israel in his report. The Special Rapporteur was convinced that on balance the facts were against Israel.

55. **Ms. Noman** (Yemen) applauded the courage of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied since 1967. She hoped that the international community, with all due impartiality, would press Israel to cease its violent activities.

The meeting rose at 17.35 p.m.